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GENERAL ASSEMBLY
Fifty-second session
Item 155 of the provisional agenda*
MEASURES TO ELIMINATE INTERNATIONAL TERRORISM

SECURITY COUNCIL
Fifty-second year

Letter dated 1 August 1997 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General

I have the honour to attach herewith the text of a letter from Mr. David Levy, the Deputy Prime Minister and Minister of Foreign Affairs of Israel, addressed to his counterparts, following the terrorist attack in Jerusalem on 30 July 1997.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under item 155 of the provisional agenda, and of the Security Council.

(Signed) David PELEG
Ambassador
Chargé d'affaires a.i.

* A/52/150.

ANNEX

Letter dated 31 July 1997 from the Deputy Prime Minister and Minister of Foreign Affairs of Israel

Yesterday, in two terrorist attacks in the heart of Jerusalem, 13 Israelis were killed and over 150 injured, including more than 10 in critical condition.

There is no justification of any sort for these atrocities, nor can there ever be. Indeed, these attacks came as Israel was continuing to implement measures designed to ease the economic conditions of the Palestinian community and had reconvened the bilateral committees charged with addressing the most pressing issues on the Palestinian agenda - as a result of my recent meetings with the Palestinian leadership - in a genuine effort to restore the trust and confidence between the sides.

These attacks came at a time when the Palestinian Authority has consistently failed to fulfil its obligations, to combat violence and terror, to refrain from incitement to violence and hatred, and to cooperate with Israel in the security sphere. Instead, we have been witness to the early release from detention of known terrorist activists, the continued use of official Palestinian media to disseminate hateful slogans and calls for continuation of the armed struggle against Israel, and the sight of senior officials of the Palestinian Authority participating in anti-Israel demonstrations and Israeli flag burning ceremonies. The Palestinian populace clearly perceives these actions as expressions of official approval for continued violence and terror.

In the absence of security cooperation between the sides, the destructive impact of these attacks extends far beyond the immediate loss of life and injury to body and property: they tear away at the basis of our people's faith in this peace process and in our Palestinian partner - faith which the goodwill and expressions of sorrow and condolence from the international community are helpless to restore.

We seek peace. We wish to seek the mutual implementation of the agreements signed between the sides and to proceed with the negotiations towards a comprehensive and lasting peace in our region. Yet, if the Middle East peace process is to be salvaged, dramatic and effective steps must be taken immediately by the Palestinian Authority to address the security issue. Terror and peace cannot coexist. Those who seek peace must fight terror, lest it consume them and the peace process itself.

The international community can and must play a more effective role in this regard. A clear and unequivocal message must be sent to Chairman Arafat and the Palestinian Authority that the Palestinian Authority must act effectively and consistently to uproot the terrorist infrastructure, and must renew unconditionally the security coordination with Israel. Without such action, all of the well-intentioned efforts of Israel and the goodwill and assistance of friendly countries will be destined to fall victim to the same destructive forces which struck yesterday in the heart of our capital.

I call upon all members of the international community to bring their full moral and political weight to bear on the Palestinian Authority to ensure that it fulfils it obligations and acts consistently and effectively to remove the terrorist scourge. If you wish, as we do, and as we believe the majority of Palestinians do, for this process to survive, your voice must now be heard.

(Signed) David LEVY
Deputy Prime Minister and
Minister of Foreign Affairs

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of the provisional agenda*

QUESTION OF PALESTINE

THE SITUATION IN THE MIDDLE EAST

REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES

Letter dated 4 August 1997 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General**

I have been instructed to bring the following to your immediate attention. Israel, the occupying Power, has been imposing a land and sea blockade on the Palestinian territory. It has blocked its borders with the Palestinian territory and, through the use of force, has blocked the borders between the Palestinian territory and Egypt and Jordan and has prevented the use of the sea of Gaza by Palestinian boats. In addition, the Israeli occupation army has imposed a siege on Palestinian cities and villages in the West Bank, effectively isolating them from each other, confining the movement of persons and preventing the transport of goods.

The above actions and measures are causing all forms of suffering to the Palestinian people, including shortages of food and medical supplies and total economic destruction. Those actions and measures constitute an act of aggression by Israel against the Palestinian people and the Palestinian Authority.

* A/52/150.

** An identical letter addressed to the President of the Security Council has been issued as document S/1997/609.

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Furthermore, the Israeli Government has taken several other hostile measures, including blocking the transfer of important amounts of funds belonging to the Palestinian Authority and even issuing an arrest warrant against the head of the Palestinian police force. The Government has also threatened military operations in the areas under the Palestinian Authority.

All of the above come in addition to the continuation of illegal settler colonialism against all relevant United Nations resolutions, including the resolutions recently overwhelmingly adopted by the General Assembly at its tenth emergency special session, as well as in violation of the agreements reached between the two sides.

The Israeli Government claims that the actions and measures mentioned above are being taken in response to the bombings of 30 July 1997 in West Jerusalem, which the Palestinian side unequivocally condemned. Obviously, however, the Israeli actions and measures are directed against the Palestinian people as a whole, as well as against the Palestinian Authority. These actions represent an unprecedented form of collective punishment and they do not serve, and indeed run contrary to, the purpose of fighting violence and extremism. We are increasingly convinced that these actions and measures are politically motivated and that the Government of Mr. Benjamin Netanyahu is trying to pre-empt any possible progress in the peace process and perhaps destroy it altogether.

The Israeli act of aggression and all other illegal Israeli actions and measures require action by the international community, and specifically by the Security Council, with the aim of bringing an immediate end to those actions and measures and reversing their destructive and dangerous impact.

I should be grateful if you would arrange to have the text of this letter distributed as a document of the General Assembly, under items 36, 37 and 87 of the provisional agenda.

(Signed) Nasser AL-KIDWA
Permanent Observer of Palestine
to the United Nations

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JOINT INSPECTION UNIT

Note by the Secretary-General

In accordance with article 9, paragraph 2, of the statute of the Joint Inspection Unit, the Secretary-General has the honour to transmit to the members of the General Assembly the work programme of the Unit for 1997-1998 and the preliminary programme of work for 1998-1999.

* A/52/150 and Corr.1.

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ANNEX

Programme of work of the Joint Inspection Unit for 1997-1998 and preliminary programme of work for 1998-1999

I. INTRODUCTION

1. The following work programmes have been drawn up in accordance with article 9, paragraph 1, of the statute of the Joint Inspection Unit (JIU), contained in the annex to General Assembly resolution 31/192 of 22 December 1976, and take into account the guidelines laid out in successive Assembly resolutions on the functioning of the Unit, in particular resolution 50/233 of 7 June 1996. Section II contains the JIU programme of work for 1997-1998 and section III a preliminary programme of work for 1998-1999 that lists potential subjects the Unit has identified to be dealt with after the completion of the ongoing reports. As hitherto, the programme of work is subject to change in the course of the year: new reports may be added; planned reports may be modified, postponed or cancelled when circumstances warrant; and titles may be changed to reflect the new thrust of reports. The Unit would highly appreciate receiving any comments from the Member States, the legislative organs, other external and internal oversight bodies and the secretariats of participating organizations on the content of the programme of work for 1997-1998 and/or the preliminary programme of work for 1998-1999.

II. WORK PROGRAMME FOR 1997-1998

A. Reports on management, budgetary and administrative issues

1. Review of management and administration in the International Labour Organization

2. The report will be the first in a series following up on the recent JIU report on accountability, management improvement and oversight in the United Nations system (A/50/503 and Add.1). The series will begin with a review of the recent major management reforms and initiatives listed for ILO in section II of that report. In conducting the review, consideration will be given to the applicability of the recommendations contained in section I of the report. Similar follow-up reviews will be undertaken by JIU for other participating organizations in future years.

2. A comparative analysis of procedures and costs for the production and distribution of documents by organizations of the United Nations system

3. This report will review the procedures, and related cost implications, used throughout the United Nations system for the production and distribution of documents, with an in-depth examination of the various alternatives used. The purpose would be to develop recommendations for speeding the production and distribution of documents, for making the information in them more accessible to

Member States and for reducing the costs involved. In preparing the report, special attention would be given to determining the extent to which advantage is being taken of modern technologies, relating to electronic processing in particular, and to examining efforts to reflect the current concern for reducing printed matter produced by organizations of the United Nations system. Plans for this report reflect the merger of two related suggestions from the Office of Internal Oversight Services and the Information Technology Services Division of the Secretariat.

3. Common and joint services in Vienna

4. This report, suggested by the secretariat of the United Nations Industrial Development Organization (UNIDO), will be the fourth by the Unit on the subject of common services. The first report reviewed United Nations system common premises and services in the field (A/49/629). The second report reviewed common services for United Nations system organizations co-located in New York (A/51/686). The third report, which reviews common services for United Nations system organizations co-located in Geneva, is being completed currently as part of the 1996-1997 programme of work of the Unit. The reports in the series have a common objective: to contribute to the establishment of a more rational inter-organizational framework for the development, operation and management of common services with a view to reduced overhead costs, increased collaboration and cost-effectiveness at major duty stations.

4. Use of experts and consultants in the United Nations system

5. This report will examine the implementation of the current policies, mandates, rules, practices and procedures on the use of experts and consultants in a number of organizations of the United Nations system. It will focus, in particular, on: (a) whether the current principles guiding the use of experts and consultants in the organizations of the system are still valid and relevant in the context of ongoing processes of reform, budgetary stringencies and limitations on regular staff resources; (b) whether present procedures for hiring United Nations experts and consultants are efficient and cost-effective; (c) methodology and procedures to identify tasks that cannot be performed by regular staff and require the use of outside experts and consultants; (d) qualifications of experts and consultants; and (e) the geographical basis for recruitment of experts and consultants. The objective is to identify problems and recommend solutions regarding these matters. This will be the Unit's sixth report dealing with the topic of experts and consultants; the most recent one was issued in 1982.

5. Role and impact of the United Nations Office for Project Services in operational activities

6. The main objective of this report is to examine the role and impact of the United Nations Office for Project Services in operational activities within the context of current United Nations system reform efforts. The Office was established by the General Assembly in 1995 and works in partnership with the

United Nations Development Programme (UNDP) and other United Nations bodies. It is the successor to the Division of Project Execution created in UNDP in 1973, which was renamed as the Office for Project Execution in 1975. In 1988 it became the Office for Project Services. JIU conducted an evaluation of the Office for Project Execution in 1983 (A/39/80).

6. Review of Administrative Committee on Coordination machinery

7. This report, focusing on the Administrative Committee on Coordination and its subsidiary bodies, is the first JIU has undertaken on the subject. Its main objective is to review the structure, functions and cost-effectiveness of the Committee. It aims, to the extent possible, at promoting collaboration, common vision and standardization within the United Nations system. In this report the Unit expects to be able to recommend measures that would enhance the ability of the Committee to provide strategic direction for the whole United Nations system in addressing high-profile issues identified by central intergovernmental bodies. The report responds to increasing calls by Member States for a more cohesive, cost-effective United Nations system.

7. Review of the United Nations University

8. In the light of the discussions on the United Nations University (UNU) by the Economic and Social Council in July 1997 and also taking into account that UNU has been in existence for more than 20 years without a proper external evaluation, JIU is prepared to undertake a comprehensive review of the University. The review will cover the functioning of UNU and issues facing it, focusing, among other things, on the management, the organizational structure, the governance arrangements and the relevance of its activities to the emerging needs of the larger United Nations community.

8. Policies and practices in the use of private management consulting firms by United Nations system organizations

9. The Unit anticipates that this report will identify, on a system-wide basis, the rationale for the practices regarding the use of the services of private management consulting firms as part of the strengthening of management oversight; costs involved in such practice will be explored and conclusions and recommendations are expected to be drawn with regard to system-wide standards, guidelines and procedures for engaging the services of private management consultant firms. The Unit also foresees that this report will pay due regard to the use of internal and external oversight services as a primary source of expertise in the management field.

B. Reports on operational activities for development

1. United Nations system support for science and technology in Latin America and the Caribbean

10. Since the adoption in 1979 of the Vienna Programme of Action on Science and Technology for Development, this subject had become a prominent feature of the legislative directives and the substantive and operational programmes of organizations within the United Nations system. In line with relevant resolutions and decisions of the General Assembly, the Economic and Social Council and the Committee for Programme and Coordination, the report will evaluate, on the basis of selected projects, the effective contribution of the United Nations system to endogenous capacity-building in science and technology. This will be the third of a series of JIU reports on the subject. The two previous ones were on Africa (A/50/125-E/1995/19) and on Asia and the Pacific (A/50/721). This evaluation was originally suggested by UNDP.

2. The use of information systems and information technology in support of the United Nations System-wide Special Initiative on Africa

11. This report combines two of the current priority issues in the United Nations system: development in Africa, as reflected in the new strategic directions being adopted by the Economic Commission for Africa (ECA) and the System-wide Special Initiative on Africa, and the use of information systems and information technology in the United Nations system, in line with the African Information Society Initiative adopted by ECA at its Conference of Ministers in May 1996. The report is included in the 1997-1998 work programme as an internal proposal and serves as a practical follow-up to the report on the use of information systems and information technology in the United Nations system to be submitted to the General Assembly at its fifty-second session. The principal objective of the report is to identify ways in which United Nations system organizations can take better advantage of the potential of information systems and information technology to assist in leapfrogging the development effort in Africa.

III. PRELIMINARY WORK PROGRAMME FOR 1998-1999

12. The following are indications of subjects that the Inspectors have identified as potential reports to be prepared during the course of 1998-1999. Most of these subjects have been suggested by the Secretariats of the participating organizations, while others have been generated internally. The list is tentative and does not necessarily imply that JIU is committed to taking up these subjects.

Management, budgetary and administrative issues

1. Practices and procedures for the procurement and awarding of contracts.

2. Review of management and administration in the World Health Organization.

3. Effectiveness of the performance appraisal system in the United Nations.

4. Planning, programming, budgeting, monitoring and evaluation procedures in the United Nations system.

5. Marketing of United Nations revenue-producing activities.

6. Archival policy for organizations of the United Nations system.

7. Evaluation of the International Research and Training Institute for the Advancement of Women and the United Nations Development Fund for Women.

8. Practice and procedures for senior-level appointments.

9. Review of the administrative and financial management systems of the International Court of Justice.

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GENERAL AND COMPLETE DISARMAMENT

An international agreement to ban anti-personnel landmines

Report of the Secretary-General

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* A/52/150 and Corr.1.

** On behalf of the States members of the European Union. The following associated countries have aligned themselves with it: Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia, as have Iceland and Liechtenstein.

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I. INTRODUCTION

1. On 10 December 1996, the General Assembly adopted resolution 51/45 S, entitled "An international agreement to ban anti-personnel landmines", paragraphs 1, 5 and 6 of which read as follows:

> "The General Assembly,
>
> "...
>
> "1. Urges States to pursue vigorously an effective, legally binding international agreement to ban the use, stockpiling, production and transfer of anti-personnel landmines with a view to completing the negotiation as soon as possible;
>
> "...
>
> "5. Requests the Secretary-General to prepare a report on steps taken to complete an international agreement banning the use, stockpiling, production and transfer of anti-personnel landmines, and on other steps taken by Member States to implement such bans, moratoriums or other restrictions and to submit it to the General Assembly at its fifty-second session under the item entitled 'General and complete disarmament';
>
> "6. Requests Member States to provide the requested information for the report of the Secretary-General on steps taken to complete an international agreement banning the use, stockpiling, production and transfer of anti-personnel landmines, and on other steps taken to implement bans, moratoriums or other restrictions on anti-personnel landmines and to submit such information to the Secretary-General by 15 April 1997."

2. In pursuance of the request contained in paragraph 6 of resolution 51/45 S, information has been received thus far from Austria, Italy, Panama and the Netherlands (on behalf of the European Union; the following countries have aligned themselves with it: Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia; Iceland and Liechtenstein have also aligned themselves with it). Any additional information received from Member States will be issued as addenda to the present report.

II. STEPS TAKEN TO COMPLETE AN INTERNATIONAL AGREEMENT TO BAN ANTI-PERSONNEL LANDMINES

A. Ottawa process

3. At a meeting convened by Canada in Ottawa in October 1996, 50 countries undertook to support efforts for a global ban on anti-personnel landmines. Since that date, work on drafting a convention is progressing through a series of meetings held in Vienna (February 1997), Bonn (April 1997) and Brussels (June 1997), and the number of States supporting the objective has grown. The United Nations was represented at the meetings of this process. The draft

convention, which has been elaborated by the Government of Austria, will be formally negotiated at a diplomatic conference in Oslo in early September 1997 and is expected to be opened for signature in Ottawa in December 1997. The draft will be comprehensive, encompassing a prohibition of the use, development, production, stockpiling and transfer of anti-personnel landmines.

4. According to the draft convention, parties will undertake to destroy, in addition to their stockpiles of anti-personnel landmines (art. 4), anti-personnel landmines laid within minefields (art. 5) and mines laid in areas outside minefields (art. 6) and to report on the status of their programmes for destruction annually. The convention envisages a variety of roles for the United Nations, including treaty review conferences; compliance investigations; setting-up of conferences of States parties; collection, transmittal and circulation of requests, reports and information; designation of the Secretary-General as the depositary of the convention; and work in the technical area of mine clearance.

B. Conference on Disarmament

5. No negotiations on anti-personnel landmines have begun in the Conference on Disarmament. However, on 26 June 1997, the Conference decided to appoint a Special Coordinator to conduct consultations on a possible mandate on the question of anti-personnel landmines under agenda item 6.

III. INFORMATION RECEIVED FROM GOVERNMENTS

AUSTRIA

[Original: English]

[12 March 1997]

1. Austria was a sponsor of General Assembly resolution 51/45 S, entitled "An international agreement to ban anti-personnel landmines", adopted on 10 December 1996, and has observed an export moratorium for anti-personnel mines since October 1994. In the course of 1995, Austria completely destroyed its remaining stocks of anti-personnel mines. With the Federal Law on the Ban of Anti-Personnel Mines, recently adopted by the Austrian Parliament, Austria has now taken a further effective step at the national level in order to fulfil its solemn commitment to ban totally the use, stockpiling, production and transfer of anti-personnel landmines. A translation of the Federal Law is given below.

2. On the multilateral level, Austria is a staunch supporter of the efforts to complete as soon as possible an effective, legally binding international agreement on a total ban of anti-personnel landmines. In this context, attention is drawn to the fact that Austria has distributed through its embassies a first tentative draft of such a convention and has invited all interested States to an expert meeting on the text of a convention on the total ban of anti-personnel mines. The meeting was held in Vienna from 12 to 14 February 1997 and was attended by 111 Member States.

Federal Law on the Ban of Anti-Personnel Mines

Definitions

Article 1

In the context of this Federal Law:

1. "Anti-personnel mine" means a means of combat designed to be placed under, on or near the ground or other surface area and designed to detonate or explode by the presence, proximity or contact of persons.

2. "Anti-detection mechanism" means a device designed to bring an anti-personnel mine to explosion or detonation by the use of a mine-detecting device.

Prohibitions

Article 2

The production, acquisition, sale, procurement, import, export, transit, use and possession of anti-personnel mines as well as of anti-detection mechanisms shall be prohibited.

Restrictions

Article 3

1. Mines earmarked exclusively for training purposes within the Federal Army or the Mine Clearance Service or the Explosives Disposal Service are not subject to the prohibition set out in article 2.

2. The import, possession and the stockpiling of anti-personnel mines for the purpose of immediate dismantlement or other types of destruction are not subject to the prohibition set out in article 2.

Destruction of existing stockpiles

Article 4

Existing stockpiles of anti-personnel mines or anti-detection mechanisms prohibited under article 2 shall be reported to the Federal Ministry of the Interior within one month and shall be destroyed by the said Ministry not later than one year after the entry into force of this Federal Law upon reimbursement of costs.

Penalty

Article 5

Whoever, and even if only by negligence, contravenes the prohibition of article 2 of this Federal Law, shall be sentenced to imprisonment for up to two years or a fine of up to 360 times the daily rate, if the offence is not subject to a more severe penalty under another Federal Law.

Confiscation and forfeiture

Article 6

1. Anti-personnel mines or anti-detection mechanisms as well as components thereof that are object of an act punishable under article 5 shall be confiscated by court order.

2. Machines and facilities used in the production of items under the prohibition set out in article 2 can be declared forfeited by the court. They shall be secured at the owner's expense so that those items cannot be further used in contravention of the prohibition set out in article 2.

3. Means used to transport items under the prohibition of article 2 may be declared forfeited by the court.

4. Items under forfeiture according to paragraphs 2 and 3 shall become property of the Federation. Items confiscated under paragraph 1 shall become property of the Federation and must be reported to the Federal Ministry of the Interior for destruction in accordance with article 4.

Execution

Article 7

Entrusted with the execution of this Federal Law are:

1. With respect to article 3, paragraph 1, the Federal Minister of the Interior and the Federal Minister of Defence;

2. With respect to articles 5 and 6, the Federal Minister of Justice; and

3. With respect to the other provisions, the Federal Minister of the Interior.

Entry into force

Article 8

This Federal Law enters into force on 1 January 1997.

ITALY

[Original: English]

[16 June 1997]

1. In order to complete the measures already adopted on the ban of production and export of anti-personnel landmines and the initiation of their destruction, the Government of Italy has agreed to renounce the operational use of anti-personnel landmines. The decision, which responds to the needs expressed by domestic and international public opinion, was adopted in order to contribute to reaching a solid international understanding and a definitive solution to the problem caused by anti-personnel landmines.

2. To that end, consistent with the relevant resolutions of the General Assembly, as well as with the objectives of the European Union, Italy will continue to work actively in the framework of the Conference on Disarmament in Geneva and to follow the Ottawa process so that, through the complementarity of the actions in the two forums, the international community can design a set of effective norms supported by the largest possible number of States.

NETHERLANDS*

[Original: French]

[3 June 1997]

1. The European Union (EU) is determined to combat and halt the indiscriminate use and worldwide dissemination of anti-personnel landmines and contribute to solving the problems already caused by these weapons.

2. By their joint action of 12 May 1995, the EU member States implemented a moratorium on the export of anti-personnel mines, as called for by the relevant General Assembly resolutions (resolutions 48/75 K, 49/75 D and 50/70 O).

3. In the light of the results of the Review Conference of the 1980 Convention, the EU member States considered that the initiatives taken by the Union since the joint action of 12 May 1995 should be updated and further developed. The purpose of the second joint action of 1 October 1996 is to reinforce the significant political and practical measures already taken by EU to achieve these goals. This joint action is in three parts:

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* On behalf of the States members of the European Union. The following associated countries have aligned themselves with it: Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia, as have Iceland and Liechtenstein.

(a) Continuation of EU efforts to ensure the full implementation of the outcome of the first Review Conference of the 1980 Convention, and support for agreed international efforts to ban anti-personnel landmines;

(b) A joint moratorium on the export to any destination of anti-personnel landmines;

(c) A multidimensional contribution by the Union to mine clearance efforts.

In that spirit, the EU member States participated in October 1996 in the Ottawa Conference "Towards a Global Ban on Anti-Personnel Mines", which decided to organize and convene a follow-up conference in Brussels in June 1997.

4. General Assembly resolution 51/45 S, which urges States to pursue vigorously an effective, legally binding international agreement to ban the use, stockpiling, production and transfer of anti-personnel landmines with a view to completing the negotiation as soon as possible, was supported by the 15 EU member States. The Union is determined to achieve the goal of the total elimination of anti-personnel landmines and is actively pursuing the earliest possible conclusion of an effective international agreement to ban these weapons throughout the world. The EU member States took part in a preliminary discussion, held in Vienna in February 1997, on a draft convention prepared by Austria.

5. The member States of the Union welcome the German initiative to hold an international conference of experts in Bonn on 24 and 25 April 1997 on possible verification of a global treaty banning anti-personnel landmines.

6. The EU member States are aware of the opportunities offered by the Conference on Disarmament in the area of conventional disarmament. The Union is seeking to set up an ad hoc committee within the Conference, to negotiate, with a view to concluding as soon as possible, an effective international agreement on a comprehensive global ban on anti-personnel landmines.

7. The EU member States are prepared to give entirely open-minded consideration to any steps which may contribute to a comprehensive ban on anti-personnel mines.

PANAMA

[Original: Spanish]

[3 June 1997]

1. The Government of the Republic of Panama expresses its concern about anti-personnel landmines and their adverse effects upon the effective development of human rights and upon humanitarian actions in those places where the latter are needed.

2. The Government of Panama, respectful of the rules of international humanitarian law, acceded to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, and its Protocols I, II, III and IV.

3. Furthermore, the Government of Panama does not import, export, manufacture, use or stockpile anti-personnel landmines, and supports those members of the international community who advocate a comprehensive ban on anti-personnel landmines.

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VERIFICATION IN ALL ITS ASPECTS, INCLUDING THE ROLE OF THE UNITED NATIONS IN THE FIELD OF VERIFICATION

Report of the Secretary-General

I. INTRODUCTION

1. In its resolution 50/61 of 12 December 1995, the General Assembly requested the Secretary-General to report to it at its fifty-second session on views received from Member States and on actions taken by them and by the Secretariat with respect to the recommendations contained in the expert study on verification in all its aspects, including the role of the United Nations in the field of verification (A/50/377 and Corr.1, annex). The present report is submitted pursuant to that request.

II. DEVELOPMENTS

2. The subject of verification and compliance has remained a paramount concern of Member States and it is an issue on which much has been accomplished in the past two years, since the completion of the report on verification in all its aspects, including the role of the United Nations in the field of verification. Attention has focused on two new bodies dedicated to implementing the verification provisions of two important new treaties, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction and the Comprehensive Nuclear Test-Ban Treaty. With the entry into force of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction on 29 April 1997, the Organization for the Prohibition of Chemical Weapons (OPCW), established by the Treaty, became responsible for actually implementing the complex verification mechanism provided for in that treaty. In

* A/52/150 and Corr.1.

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its resolution 51/230 of 3 June 1997, the General Assembly invited the Secretary-General to conclude with the Director-General of OPCW an agreement to regulate the relationship between their two organizations. The Preparatory Commission for the future Comprehensive Nuclear Test-Ban Treaty Organization, established by the States signatories in November 1996, embarked early in 1992 on its preparations to ensure the operationalization of the verification regime of the Comprehensive Nuclear Test-Ban Treaty upon its entry into force.

3. The international community is also taking steps to strengthen the verification provisions of existing agreements. The parties to the Biological Weapons Convention are presently negotiating a verification protocol to that instrument. In May 1997, the International Atomic Energy Agency (IAEA) adopted a protocol to its safeguards agreements that will enhance its capability to detect clandestine programmes.

4. At the operational level, the United Nations Special Commission has continued its tasks of verifying the destruction of Iraq's proscribed weapons and capabilities and of operating a system of ongoing monitoring of its compliance with its obligation not to acquire such weapons or capabilities in the future (see S/1997/301, annex).

5. Verification remains a very complex issue, one on which thinking is evolving. Some of the recommendations in the expert study on verification, in particular those under the heading "Role of the United Nations in neutral third-party verification", are closely related to questions pertaining to preventive diplomacy and peacemaking, sanctions, post-conflict peace-building, and coordination - the four areas of ongoing discussion in the Informal Open-ended Working Group on An Agenda for Peace. Moreover, the United Nations reform, including in the area of disarmament and arms regulation, is under way. It would, therefore, seem appropriate to await the emergency of a common understanding of the above issues before addressing the substantive matters contained in the expert study and their implications for the United Nations.

6. Pursuant to resolution 50/61, two Member States submitted their views on the study. The texts of those submissions are reproduced in section III below.

III. VIEWS RECEIVED FROM MEMBER STATES

CANADA

[Original: English]

1. The following refers to United Nations resolution 50/61, entitled "Verification in all its aspects, including the role of the United Nations in the field of verification". This resolution seeks the views of Member States on the report of the Secretary-General prepared on this subject with the assistance of a Group of Qualified Governmental Experts (A/50/377 and Corr.1) and on actions taken by them with respect to the recommendations in this report.

2. In the view of the Government of Canada, the 1995 verification report continues to represent an important guide for the future, identifying challenges

that must be tackled. For this reason, Canada took the step of reprinting and distributing the report as a salute to the United Nations on the anniversary of its first half century of distinguished service.

3. The 1995 report provides a unique, comprehensive and thorough review of verification experience and related international developments up to the spring of 1995. Based on that review, it developed a number of practical lessons and identified ideas for additional verification principles and guidelines, with particular attention on the possible role of the United Nations in this field. In the two years since the conclusion of the report, additional experience has been acquired and other developments have occurred that are relevant to the findings of the Group of Governmental Experts. Canada has undertaken a comprehensive review of this relevant experience and other developments to assist in preparing this response. The following points provide a synopsis of the findings of this review:

(a) International Atomic Energy Agency (IAEA) safeguards have been strengthened, including through the adoption of a Model Protocol to the Agency's existing bilateral safeguards agreements. Through the provision of greater information by each State and greater access to locations in each country, the Agency will be able to obtain credible assurances that there are no undeclared nuclear activities and, as a result, the intensity of the Agency's safeguards activities in a State should not continue to be based solely on the size of the State's peaceful nuclear programme;

(b) IAEA is currently exploring with the Russian Federation and the United States of America technical, legal and financial arrangements for safeguarding fissile materials released from military programmes. New verification approaches and arrangements may be required for this safeguards task;

(c) The Comprehensive Nuclear Test-Ban Treaty has been signed and a Preparatory Commission has commenced activities. The Treaty includes a package of verification methodologies and will rely on an international body - the Comprehensive Nuclear Test-Ban Treaty Organization - to conduct verification activities. While the use of information from national technical means is permitted for verification, overhead imagery is not an explicit methodology incorporated into the international monitoring system. The costs associated with implementing the Treaty's verification provisions, both at the international and national levels, will be significant;

(d) New African and South-East Asian nuclear-weapon-free zone treaties have been concluded. These treaties rely heavily on IAEA safeguards for verification, but also incorporate additional regional processes;

(e) There has been agreement between the Russian Federation and the United States of America to pursue a bilateral START III agreement once START II enters into force. The progressive movement from exclusive reliance on remote monitoring by national technical means towards more cooperative and intrusive methods, including on-site inspections, is a noteworthy trend that is likely to continue with START III. Moreover, the increasingly important role played by general transparency in facilitating verification of these agreements should be noted;

(f) The Chemical Weapons Convention came into force on 29 April 1997. While the Preparatory Commission had four years to address the procedures for implementation, the complexity of this preparatory work and the considerable difficulty that States parties have had in meeting the agreed declaration deadlines underline the finding of the 1995 United Nations report concerning the importance of providing an adequate start-up process for a multilateral verification regime of this nature. As is true for the Comprehensive Nuclear Test-Ban Treaty, the costs of verification - both at the international and national levels - are significant. By undertaking the formal verification tasks on behalf of the States parties, both the Organization for the Prohibition of Chemical Weapons and the Comprehensive Nuclear Test-Ban Treaty Organization provide greater efficiency at less cost than multiple direct State-to-State verification arrangements. However, careful planning is required to streamline and allow for optimal efficiencies - such as ensuring the maximum benefits from employing advanced data management technologies. Another point emphasized by Canada's Chemical Weapons Convention implementers is the need, when developing a new verification system, to maximize the exchange of information with other verification implementers;

(g) There has been progress in developing a legally binding protocol to the Biological and Toxin Weapons Convention. The direction of these negotiations appears to be towards a package of verification measures, a concept that is prevalent throughout the 1995 United Nations report. Another feature of these negotiations that echoes the 1995 report's findings is the need to involve the expert community early and persistently in the negotiations. The voluntary provision of information (including national intelligence information and imagery), by any State party, with regard to a non-compliance concern is likely to be an important area of consideration;

(h) The work by the United Nations Special Commission and IAEA in Iraq, including the implementation of an ongoing monitoring and verification system and an export/import monitoring mechanism, continues to constitute a unique "verification laboratory" for the operation of technical measures as described in the 1995 United Nations report. This practical "hands-on" verification experience, both in terms of implementing specific methodologies and in integrating the information generated from these methodologies into a meaningful picture, is a special resource for both the United Nations and for those charged with verification in other contexts. Efforts should be made to ensure that this expertise is shared with other verification organizations and that it is not lost to the United Nations;

(i) There has been agreement to adapt the Treaty on Conventional Armed Forces in Europe to the new conditions in Europe, including enhancement of the Treaty's verification and information exchange provisions. The ongoing verification experience of the Treaty continues to provide "striking evidence of the beneficial effects of cooperation among participating countries", as stated in the 1995 United Nations report. It remains a quintessential example of the power that such benefits have to drive the development of ad hoc cooperative processes as identified by the 1995 report;

(j) In November 1993, the predecessor to the Organization for Security and Cooperation in Europe (OSCE) adopted a document entitled "Stabilizing Measures

for Localized Crisis Situations", which contained many concepts relating to verification that were later incorporated into the Dayton Accords and its subsidiary agreements of 1995-1996 and that have relevance for other regions. In December 1996, other documents were adopted by OSCE that outline some specific goals and methods for further development of arms control in the OSCE context, including improving existing verification provisions and developing new ones as necessary. In general, the information exchange and verification procedures of the Vienna Document are operating well, although there have been some general difficulties of implementation. Not all participating States have equal capacity to meet their obligations, nor do all assign the same priority to doing so. Consequently, assistance in funds and in kind may be essential. Normal verification processes, including regular compliance consultations, help highlight deficiencies, provide explanations of anomalies and, in so doing, avoid suspicions and build confidence;

(k) A significant subregional arms control undertaking has been implemented in the form of the Dayton Accords and its subsidiary agreements, which draw upon the experience of the Treaty on Conventional Armed Forces in Europe and OSCE Vienna Document. OSCE, the North Atlantic Treaty Organization (NATO) and their members have provided an indispensable neutral third-party verification component to the implementation of these agreements, reinforcing the important role that the 1995 United Nations report saw for neutral third parties in facilitating verification, in particular when the level of hostility among the parties is high. This case also demonstrates how verification experience in one context can find useful application in another;

(l) Trial overflights continue under the Open Skies Treaty, including one by the Russian Federation over Canada and the United States in August 1997, as well as a related Hungarian/Romanian flight over Bosnia and Herzegovina conducted as a voluntary confidence-building measure under the Dayton Accords. Although these tests help validate the open skies concept, the Treaty itself still requires ratification by the Russian Federation and Ukraine before it can come into force;

(m) Sino-Russian border confidence-building agreements have been concluded, which apparently draw upon OSCE and the Treaty on Conventional Armed Forces in Europe experience;

(n) An amended Protocol II to the Inhumane Weapons Convention dealing with landmines was adopted in May 1996. It provides for consultation and cooperation, bilaterally, through the United Nations Secretary-General or other appropriate international procedures to resolve problems of interpretation and application. There is also a provision for annual conferences that will, among other things, review the operation and status of the Protocol;

(o) A significant research project by the United Nations Institute for Disarmament Research (UNIDIR) has been completed, whose findings underline the importance of the disarmament dimension for establishing viable security in the context of intra-state conflict resolution. In addition, the need for a sound information gathering, assessment and distribution system in order for peace operations to successfully manage disarmament during peace operations is also

emphasized[1], echoing the 1995 United Nations verification report's suggestions for improvements in the ability of peace operations to verify disarmament obligations of the parties;

(p) One development that is receiving increasing attention is the possible deployment of weapons for use in outer space. Any new arms control undertakings to address such concerns about the weaponization of outer space may also require consideration of verification measures, possibly including ground-based and space-based remote sensing, as well as some provision for launch payload and launch site inspections.

4. Experience gained and other developments since the submission of the 1995 report underscores the fact that effective verification remains an essential prerequisite for successful implementation of non-proliferation, arms control and disarmament obligations. This experience reinforces our belief that the conclusions and recommendations of the 1995 report continue to be highly relevant and useful both to practitioners generally and to the United Nations specifically. It also reveals several salient issues that are likely to remain important in the future for verification in all its aspects and, in particular, the role of the United Nations therein. Among these observations are the following:

(a) It is evident that the costs of effective verification for arms control agreements are substantial. However, verification should be seen as an investment that repays itself in greater confidence and enhanced security. Arms control measures continue to provide a valuable tool in a broader security strategy, provided that compliance can be seen to be occurring.

In this environment, the search for more cost-effective approaches to verification will become increasingly important. We are receptive to the view that verification costs can be substantially reduced by pooling resources and developing an international-level agency to undertake a number of verification-related tasks, as pointed out in the 1995 report. Further movement in this direction might entail significant savings with little if any decline in effectiveness, and this question deserves continued attention.

To achieve more savings, consideration might be given to less reliance on labour-intensive verification through: (i) a "progressive tiered approach" to verification; and (ii) the use of advanced technology. The former idea developed by some analysts involves all States parties being subject initially to the same level of verification; after time, however, as the international verification organization becomes confident in its knowledge of the relevant facilities and activities within a State party, it might be possible to reduce the number of regular inspections and begin relying on more infrequent but more intrusive inspections, provided the host State party accepted. Underlying this approach is increased use by the international verification agency of a greater range of information on relevant State party activities.

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[1] Managing Arms in Peace Processes: The Issues, UNIDIR/96/4, p. 214.

Greater reliance on advanced technology by international verification organizations may also provide significant cost savings as well as improve effectiveness in some cases. Among the most promising avenues is the use of commercial satellite imagery. A number of enhanced systems will soon be in operation. They have the advantage, unlike national technical means, of being available to any State party and to international verification agencies alike.

The human element, in particular on-site inspections and human analysis of data, can never be entirely eliminated from the verification process. New approaches and technologies may be able to make the verification process more efficient and on-site inspectors more effective, but on-site inspections will continue to be an essential component of verification for the foreseeable future;

(b) Certain contexts, particularly in post-conflict arms control situations where hostility among parties remains high, clearly favour a significant role in verification by trusted third parties. Such neutral third-party verification is not necessarily an alternative to direct verification by the parties themselves; rather, both approaches should be seen as complementary. Their productive interface is an area that may well increase in importance as an important tool for the international community in addressing post-conflict situations;

(c) In the post-cold war environment, increasing attention is being paid to the serious consequences of internal (civil) conflicts for human security, as well as a growing recognition of the risks such conflicts create for international peace and security. An example of an arms control measure concerned primarily with human security is the effort to develop a treaty to ban comprehensively the use, production, transfer and stockpiling of anti-personnel landmines. Some analysts are already pondering the relevance of this example for dealing with other weapons, such as small arms and light weapons, that may have particular relevance in post-conflict arms control contexts, in which the United Nations may be particularly involved. New approaches, standards and methods for verification may be required in the context of these human security-oriented arms control measures;

(d) One particularly innovative aspect of the 1995 United Nations verification report was its consideration of embargoes on arms shipments as a form of arms control measure and its call for the development of more systematized procedures for monitoring and enforcement of such embargoes. In a recent report (A/51/950), the Secretary-General reiterates the need to consider how to make economic sanctions a more effective tool in achieving the goal of modifying the behaviour of those targeted, while limiting the collateral damages. Similarly, to the extent that the international community can improve the effectiveness of arms embargoes, the more capable it will be of constraining egregious behaviour short of the use of armed force;

(e) The United Nations has developed a wealth of operational verification expertise primarily on an ad hoc basis, in particular that relating to a variety of types of peace operations, including the United Nations Special Commission, but also relating to fact-finding missions. It is likely that the Organization will be called upon in the future to undertake similar verification operations.

As suggested in the 1995 report, this capability should be made more permanent and better coordinated, a requirement that should be considered during any restructuring of the Secretariat's disarmament organization;

(f) In the past, the United Nations has played an important role in helping to develop international norms concerning verification through its various General Assembly resolutions and the Disarmament Commission 16 Verification Principles. It should continue to remain engaged on these matters, as circumstances warrant;

(g) The 1995 report suggested that the United Nations can also provide common services and play a facilitative/coordinating role. Given its universal membership, the United Nations can work generically at these tasks across treaty regimes. Among the functions suggested are support for verification research, training, and the exchange of views/communication between treaty regimes and between Member States.

As a modest contribution to assist the United Nations in the area of verification common services, Canada has for the past six years made available a survey of recent verification literature with the aim of facilitating policy relevant research and negotiations. Canada is actively investigating the possibility of establishing an on-line verification literature database that could provide a common resource for the United Nations and its Member States along the lines recommended by the 1995 report.

Another recommendation of the 1995 report was the initiation of an annual series of symposia with the aim of promoting the exchange of verification knowledge and experience. As a step towards implementing the report's recommendation, Canada intends in the future to invite officials of the United Nations and other verification organizations to participate in its series of Ottawa verification symposia - as they have been invited to do and have done on occasions in the past;

(h) With the aim of strengthening the United Nations ability to monitor international peace and security and, ultimately, to act more expeditiously, there have been suggestions for improving the capacity of the United Nations to collect and analyse information, including verification-relevant data. The use of overhead imagery might form one dimension of such a capability. Canada's proposals submitted to the United Nations in 1995 regarding a rapid reaction capability also incorporate similar notions. Canada supports such strengthening of the United Nations ability to collect and analyse, in a timely fashion, information relevant to its peace and security functions. Such a capability could, among other things, be used to address arms control verification questions.

5. In April 1986, Canada submitted a report to the United Nations in response to the first General Assembly resolution on the subject of verification.[2] While written in a very different international climate, many of the ideas in that report of 12 years ago have stood the test of time well and continue to represent Canada's approach to verification. One of the key themes contained in that response was the need to pool resources when undertaking verification, including a possible role for the United Nations, in order to maximize effectiveness and save costs.

6. In addition, the following words of the covering letter to the 1986 Canadian report continue to ring true today:[3]

> "[Verification] should help meet the need to institutionalize in the context of relations among States the kind of accepted rules, procedures and expectations as those that govern the conduct of relations among individuals in all civilized societies. Such rules and procedures do not presume bad faith or malevolent intent on the part of others, but they allow for such a possibility and provide a framework in which unjustified accusations could be authoritatively rebutted, misunderstandings clarified and resolved, and non-compliance objectively established.
>
> "In this connection, it should be emphasized that the verification process does not in itself address the issue of what can or should be done in the event of misconduct. No judicial function is involved. The political management of the consequences of demonstrated non-compliance is perhaps the ultimate, and most difficult and sensitive, problem in the whole arms control and disarmament process. The role of verification in this context is limited to providing, in the most comprehensive and objective way, data relevant to such behaviour. It thus can be valuable in limiting the scope for unjustified allegations and in providing a basis for reasoned and factually based decisions by the international community in instances where non-compliance is demonstrated."

Verification is therefore a key ingredient, in Canada's view, in broader efforts by the international community to institutionalize an international system that is more strongly based on the rule of law rather than the rule of force.

7. Speculations about the end of arms control after the cold war are premature, as are similar views regarding a decline in the need to verify arms control undertakings. Aspects of the arms control agenda have certainly changed, however, with issues such as "micro-disarmament" that were overshadowed during the cold war years taking on a greater salience. Arms control measures continue to be an important tool available to the international community in

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[2] "Verification in all its aspects: a comprehensive report on arms control and disarmament verification pursuant to UNGA resolution 40/152 O", Ottawa, Department of Foreign Affairs, April 1986. See also the covering letter, which summarizes the report, in the report of the Secretary-General of 11 July 1986 (A/41/422).

[3] Ibid., sect. II, paras. 6 and 7 of the Canadian submission.

maintaining international peace and security. Such measures can only be effective to the extent that we are confident that they are observed; it is in this regard that verification plays its vital role.

8. Canada continues to believe that the United Nations is a key player on international peace and security issues and that, as such, the Organization could assume a more important role in certain carefully defined dimensions of the field of arms control verification. The innovative 1995 United Nations report on verification points the way for strengthening this role and Canada remains committed to its findings and recommendations.

ECUADOR

[Original: Spanish]

[30 May 1997]

1. Ecuador welcomes the work of the Group of Governmental Experts on Verification and agrees with all the observations and suggestions contained in its report (A/50/377 and Corr.1, annex).

2. It should be noted, in that regard, that the political will of States is vital to the success of any verification process, especially the verification of disarmament agreements. Moreover, it is important to highlight the need to eliminate the threats to the maintenance of world peace and security through the methods for the peaceful settlement of disputes provided for in the Charter of the United Nations, including confidence-building measures at the bilateral (in the case of existing conflicts between States), regional and global levels.

3. In this regard, Ecuador believes that transparency is a vital element, inasmuch as it facilitates the collection of the information that is essential to the verification process. Furthermore, information can be cross-checked in order to determine the truthfulness of a State's reports on its acquisition of armaments, its level of military forces and its compliance with any international disarmament agreements it may have concluded. For that reason, Ecuador considers it fundamental that transparency in the disarmament process be promoted through operational reports submitted not only by those who purchase and use arms, but also by arms producers and exporters.

4. Ecuador agrees with the suggestion contained in the report that information should be provided not only by States but also by other agents of civil society who may be involved in the sale of arms. One example where civil society actively participates in the provision and processing of information for verification is the process established under the Chemical Weapons Convention, an arrangement that should be considered when establishing disarmament verification mechanisms.

5. As far as international bilateral, regional and/or global disarmament treaties are concerned, Ecuador deems it important to stress that such treaties must necessarily provide for verification mechanisms, otherwise they will remain a dead letter.

6. The possibility of establishing complaints mechanisms should be considered. However, since such mechanisms could lead to abuses, provision should be made for holding the plaintiffs liable where the complaints are determined to be unfounded.

7. Concerning the possibility of establishing an international verification system, Ecuador deems it feasible to initiate, in the current international political environment, a process of negotiations, perhaps within the framework of the Conference on Disarmament, on a multilateral agreement that incorporates the verification guidelines and principles adopted in 1978 and 1988, and to develop them further in line with current realities in order to provide Member States with an international treaty complementary to the disarmament agreements, which do not provide for verification mechanisms. The body responsible for implementing such verification mechanisms would be the United Nations, through the Centre for Disarmament Affairs, which could keep a roster of experts in the various related fields and also be responsible for compiling and processing data.

8. Ecuador deems it important to strengthen the United Nations Register of Conventional Arms and the instrument for standardized international reporting of military expenditures, since they are appropriate mechanisms for arms limitation, reduction and elimination and for making cutbacks in military forces. One way of enhancing the reliability of such information is precisely by cross-checking it to verify the accuracy of the reports.

9. Ecuador believes that the United Nations work in peacekeeping and preventive diplomacy, including early warning activities, is crucial. Although during the last several years the fact-finding missions undertaken by the Secretary-General have immediately preceded peace operations after a conflict has been resolved as part of efforts towards reconstruction and the consolidation of peaceful conditions, the Organization has not yet intervened before the outbreak of conflicts. For that reason, Ecuador believes it is important for the Security Council and the Secretary-General to develop mechanisms that would make early warning more effective through verification mechanisms designed to detect potentially dangerous situations and promote immediate action.

10. Moreover, Ecuador is of the opinion that the United Nations could play a key role in monitoring compliance with confidence-building measures. In that regard, it is also important to make use of any support that might be provided in such processes by regional bodies, with which the United Nations should closely cooperate.

11. In this regard, note should be taken of the progress achieved by the Organization of American States through the establishment of the Committee on Hemispheric Security, which makes use of the United Nations Register of Conventional Arms and its instrument for standardized international reporting of military expenditures.

12. Finally, Ecuador deems it important for the United Nations to promote seminars, not only at its different headquarters but also in the different geographical regions corresponding to the regional groups recognized by the

United Nations, with the aim of drawing attention to the importance of disarmament and the implementation of verification measures, an action that would be of great benefit to the national political and technical groups involved in this field.